



501.43228X00

SPW  
4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: T. MURATA et al.

Serial No.: 10/756,419

Filed: January 14, 2004

For: SEMICONDUCTOR INTEGRATED CIRCUIT DEVICE  
AND A METHOD OF MANUFACTURING THE SAME

Group: 2814

Examiner: LE, Thao X.

**RESPONSE TO ELECTION REQUIREMENT and**

**STATEMENT OF SUBSTANCE OF INTERVIEW**

Commissioner for Patents  
POB 1450  
Alexandria, VA 22313-1450

September 7, 2005

Sir:

In response to the Election Requirement dated July 7, 2005, applicants hereby elect the Species A claims 15-32 and 42.

It is noted that this election is based upon a telephone interview conducted on even date herewith Examiner Tao Le. Appreciation is expressed to Examiner Le for his courtesy and helpfulness during this telephone interview.

During the course of the telephone interview, the Preliminary Amendment filed on January 14, 2004 was discussed, together with the original Restriction Requirement of May 19, 2005 and the most recent Election of Species Requirement of July 7, 2005. By the Preliminary Amendment filed on January 14, 2004, the device claims 1-14 and 38-41 were canceled. Unfortunately, this was not noticed either by the Examiner or the applicant since the May 19, 2005 Restriction Requirement listed the device claims as Group I and the June 20, 2005 Response elected the Group I device claims. This, of course, was in error since the device claims had been canceled. Thus, effectively, the applicant had

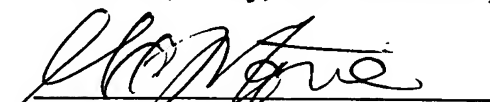
already elected the Group II method claims 15-37 and 42 by virtue of the cancellation of the device claims in the January 14, 2004 Preliminary Amendment.

In the meantime, the July 7, 2005 Election of Species Requirement only listed Species from the method claims, notwithstanding the fact that the method claims had not been elected in the original June 20, 2005 response. In discussing this with the Examiner during the telephone interview on even date herewith, it was agreed that only method claims remain in the application, and, as such, the requirement for election of species set forth in the July 7, 2005 Election Requirement is, in fact, proper. Accordingly, in response to this, applicants have elected the Species A claims 15-32 and 42, and request examination regarding these claims.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 501.43228X00) and please credit any excess fees to such deposit account.

Respectfully submitted,  
**Antonelli, Terry, Stout & Kraus, LLP**

  
Gregory E. Montone  
Reg. No. 28,141